

REMARKS

Claims 1-2, 4, 11 and 14-35 are pending. The Office Action overlooks that claims 11-13 were introduced in a preliminary amendment. It appears that claims 11-12 belong to Group I and claim 13 belong to Group II, but claims 11-13 were not listed in the Office Action. In a telephone interview on June 27, 2007, the Examiner's confirmed the proper grouping of claims is Group I (claims 1-8 and 11-12) and Group II (claims 9-10 and 13).

Basis for amending the pasteurisation process' upper limit to replace "70°C" with 60°C is found at page 3, line 11, to page 4, line 16, of the specification.

Applicants elect with traverse Group II (pending claims 14-35) for examination on the merits. Notwithstanding this election, reconsideration of the restriction requirement is requested because examination of all pending claims would not constitute a serious burden. In particular, the claims of both Groups I and II should be examined in the same application. Thus, claims 1-2, 4 and 11 should not be withdrawn from consideration. Applicants reserve the right to prosecute nonelected subject matter in the future.

In the alternative, Applicants disagree with the allegation in the Action that the pending claims lack unity of invention, and therefore belong to different groups of inventions. Although they agree with the Examiner's conclusion that the inventions are separately patentable, Applicants' traversal is based on the pending claims being so linked as to form a single general inventive concept under PCT Rule 13.1. Therefore, Applicants submit that the pending claims should be examined together in this application.

Applicants earnestly solicit an early and favorable examination on the merits. The Examiner is invited to contact the undersigned if any further information is required.

Respectfully submitted,

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